

AFFIDAVIT

I, Vladimir A. Gonzalez, do HEREBY DEPOSE AND STATE:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), assigned to the High Intensity Drug Trafficking Areas (HIDTA) in the San Juan Office and have been so employed since January 5, 2009. I am a graduate of the Criminal Investigator Training Program at the Federal Law Enforcement Training Center, as well as the ATF National Academy. I have received extensive training in the identification and operation of firearms, as well as narcotics identification, and the planning and execution of undercover operations. I have a Bachelor of Science degree in Engineering from the University of Puerto Rico in Mayaguez, PR.
2. The details and information stated herein are a compilation of facts and events investigated by me and other Law Enforcement Officers, who investigated and confirmed their veracity or overseen their development. I have drafted this affidavit for the limited purpose of establishing probable cause for certain violations of law; therefore, I have not included all of the facts of this investigation.
3. On October 18, 2012, at approximately 7:00 AM, Agents from the Puerto Rico Police Department in Ponce executed a state search warrant on a house located at Barrio Apeadero, Road #562 in Villalba, PR. The house location is described as the second house on the left side of the road when entering the second entrance to the left on Road #562.
4. PRPD Agents entered the abovementioned residence and were received by Ada Batista-Lopez. PRPD Agents identified themselves and asked Batista-Lopez if there was somebody else inside the residence to which she replied that her son was on his room, the first bedroom on the left side of the residence. PRPD Agents proceeded to execute the state search warrant and when they opened the door of the first bedroom at the left they found an individual, later identified as Luis A. GUZMAN-BATISTA. In GUZMAN-BATISTA's room, inside a drawer, PRPD Agents found six (6) rounds of 9mm ammunitions.
5. Inside the first room on the right side of the house, PRPD Agents recovered a: One (1) Diamond brand scale, model 500, Two (2) boxes containing plastic small zipped bag G-force brand, one (1) large plastic zipped bag containing and undetermined amount of small plastic zipped bags, three (3) unopened boxes of Wm Penn cigars and one (1) El Gallero brand scale.
6. Further investigation revealed that GUZMAN-BATISTA is currently under indictment for First Degree Murder and Article 5.4 of Puerto Rico Firearm's Law.
7. The investigation further revealed that no firearms or ammunitions, including this type, are manufactured in the Commonwealth of Puerto Rico and therefore this

ammunitions were shipped or transported in interstate or foreign commerce.

8. Based on the above facts, your affiant has probable cause to believe that GUZMAN-BATISTA has violated the Federal Firearms Law, to wit: Title 18, United States Code, Section 922(n) – illegal receipt of a firearm or ammunition by person who is under indictment.


Vladimir A. Gonzalez

Special Agent
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn and subscribed to before me by Special Agent Vladimir A. Gonzalez, this 19th of October, 2012.


Camille E. Vélez-Rivé

U.S. Magistrate Judge